

FILED

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

2008 MAR -5 PM 4:39

UNITED STATES OF AMERICA)

v.)

THOMAS HOUSTON,
THOMAS BRANSON, and
THOMAS DECANter)

Cause Number:

2:08CR

18 U.S.C. § 242

18 U.S.C. § 1001

INDICTMENT

THE GRAND JURY CHARGES THAT:

At all times relevant to this indictment, unless otherwise stated:

1. Defendant **THOMAS HOUSTON** was the Chief of the Gary Police Department in Gary, Indiana (Gary PD).
2. Defendant **THOMAS BRANSON** was the Deputy Chief of the Gary PD.
3. Defendant **THOMAS DECANter** was a Sergeant employed by the Gary PD.

COUNT 1

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON
and
THOMAS BRANSON,

defendants herein, while aiding and abetting one another and while acting under color of law and without legitimate law enforcement justification, entered and searched the home of S.B., thereby willfully depriving S.B. of a right secured and protected by the Constitution and laws of the

United States; that is, the right to be free from an unreasonable search and seizure by a person acting under color of law.

All in violation of Title 18, United States Code, Sections 2 and 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 2

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON,

defendant herein, while acting under color of law, slapped M.M. and punched her in the stomach, thereby willfully depriving M.M. of a right secured and protected by the Constitution and laws of the United States; that is, the right to be free from the use of unreasonable force by a person acting under color of law. This offense resulted in bodily injury to M.M.

All in violation of Title 18, United States Code, Section 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 3

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON,

defendant herein, while acting under color of law, grabbed and struck V.A., and kicked V.A. in the stomach while V.A. was handcuffed, thereby willfully depriving V.A. of a right secured and protected by the Constitution and laws of the United States; that is, the right to be free from the use of unreasonable force by a person acting under color of law. This offense resulted in bodily injury to V.A.

All in violation of Title 18, United States Code, Section 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 4

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

On or about June 1, 2007, in the Northern District of Indiana,

THOMAS DECANter
and
THOMAS BRANSON,

defendants herein, while aiding and abetting one another and while acting under color of law, struck D.J. in the arm with a piece of wood, thereby willfully depriving D.J. of a right secured and protected by the Constitution and laws of the United States; that is, the right to be free from the use of unreasonable force by a person acting under color of law. This offense resulted in bodily injury to D.J.

All in violation of Title 18, United States Code, Sections 2 and 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 5

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

Beginning on or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON,

defendant herein, while acting under color of law, had M.M. arrested and held in jail until June 4, 2007, without legal justification, thereby willfully depriving her of rights secured and protected by the Constitution and laws of the United States; that is, the right to be free from an unreasonable seizure, and the right not to be deprived of liberty without due process of law.

All in violation of Title 18, United States Code, Section 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 6

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

Beginning on or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON,

defendant herein, while acting under color of law, had V.A. arrested and held in jail until June 4, 2007, without legal justification, thereby willfully depriving him of rights secured and protected by the Constitution and laws of the United States; that is, the right to be free from an unreasonable seizure, and the right not to be deprived of liberty without due process of law.

All in violation of Title 18, United States Code, Section 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 7

[18 U.S.C. § 242 - Deprivation of Rights Under Color of Law]

Beginning on or about June 1, 2007, in the Northern District of Indiana,

THOMAS HOUSTON,

defendant herein, while acting under color of law, had D.J. arrested and held in jail until June 4, 2007, without legal justification, thereby willfully depriving him of rights secured and protected by the Constitution and laws of the United States; that is, the right to be free from an unreasonable seizure, and the right not to be deprived of liberty without due process of law.

All in violation of Title 18, United States Code, Section 242.

THE GRAND JURY FURTHER CHARGES:

COUNT 8

[18 U.S.C. § 1001 - False Statement]

On or about October 22, 2007, in the Northern District of Indiana,

THOMAS BRANSON,

defendant herein, knowingly and willfully made material false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the Federal Bureau of Investigation (FBI), an agency within the executive branch of the Government of the United States; that is, defendant Thomas Branson told Special Agents of the FBI that when he entered the home at 2925 West 21st Avenue, Gary, Indiana, on June 1, 2007: the house was not searched; none of the four arrestees was hit while they were being placed under arrest; and neither V.A. nor D.J. was taken to the rear of the home. At the time defendant Branson made those statements, he knew those statements to be false.

All in violation of Title 18, United States Code, Section 1001.

A TRUE BILL:

181 FOREPERSON
~~FOREPERSON~~

DAVID A. CAPP
United States Attorney
Northern District of Indiana

GRACE CHUNG BECKER
Acting Assistant Attorney General
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By:

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